

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 KEVON OLIVERE,

13 Defendant.

CASE NO. CR08-5532BHS

ORDER DENYING
DEFENDANT'S MOTION TO
AMEND JUDGMENT

14 This matter comes before the Court on Defendant's motion to amend judgment.
15 Dkt. 62. Defendant moves the Court to amend his sentence to allow that the last two
16 months of his sentence be served in a half-way house. *Id.* (citing U.S.S.G. § 5C1.1(d) and
17 (e)) (Federal Sentencing Guidelines).

18 The Government opposes Defendant's motion. Dkt. 63. The Government
19 maintains that Defendants' motion is procedurally improper. *Id.* The Court agrees.
20 Defendant has provided no authority that supports his motion. Under Federal Rule of
21 Criminal Procedure 35, a court may reduce correct or reduce a sentence to correct a
22 clerical error, or in certain situations, on motion by *the Government*. The Court finds no
23 basis for amending Defendant's sentence. Defendant's motion is denied.

24 DATED this 9th day of March, 2009.

25
26 

27 BENJAMIN H. SETTLE
28 United States District Judge